

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 5, 8-9 and 19-20 stand rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. Applicants have amended claim 5 to note that repeated attempts for acquisition of the second more preferred storage SID element are done by scanning the same frequency for that SID and a single acquisition attempt of each of at least one less preferred storage SID element is also performed as part of the second more preferred SID acquisition sequence. Applicants have also amended claim 8 in a similar fashion. As such, Applicants respectfully request the withdrawal of the rejection.

Claim 10 has been rejected as allegedly failing to comply with 35 U.S.C. §101. As noted above, Applicants respectfully traverse but have amended the claim to expedite prosecution. Applicants also respectfully point out that the cited portion of the MPEP states “a claimed computer readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer...and is thus statutory.” (page 2100-18). The claimed memory containing instructions executable by one or more processing devices is a type of computer readable medium and is statutory. In any event, Applicants note that inherent language has been added in order to expedite prosecution.

Claims 1-21 stand rejected under 35 U.S.C. §102(b) in view of Hooper et al. In the “Advisory Action”, the Advisory Action notes that Applicants allegedly argue features that are not claimed (i.e., the mobile scans the same frequency repeatedly, not the repeated search of different frequencies). Applicants have amended the claims to indicate that during a second more preferred SID acquisition sequence, repeated attempts for acquisition of at least one more preferred storage SID element is done by the mobile via the same frequency and as such, scans


the same frequency. The cited reference teaches a single acquisition sequence and if the most preferred system is found then scanning stops (i.e., no "second more preferred acquisition sequence" as claimed is carried out). The scanning only continues in Hooper if step 90 is reached or at this point the default system is a lesser preferred system. Step 84 eliminates home systems, step 86 eliminates the most preferred systems therefore the default system must be a lesser preferred system. At step 100, the next frequency is selected for scanning. There is no mention made of repeatedly attempting the same SID at the same frequency. Column 9, line 66 to column 10, line 10 states that a new frequency is selected (i.e., the same frequency is specifically not repeated). As such, Hooper does not teach the claimed subject matter. Accordingly, the claims are in condition for allowance.

The dependent claims add additional novel and non-obvious subject matter.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Dated: 5-14-07

By: 
Christopher J. Rockamp
Reg. No. 34,414

Vedder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle Street
Chicago, Illinois 60601
PHONE: (312) 609-7599
FAX: (312) 609-5005